

SPECIAL CITY COUNCIL MEETING
MAY 8, 1989

PRESENT

Ruth Hansen	Mayor
Wesley J. Bloomfield	Council Member
Gayle Bunker	Council Member
David Church	Council Member
Don Dafoe	Council Member
Rex T. Harris	Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Alan Riding	Asst. Public Works Director
Rita Byrd	Public Works Secretary
Virginia Taylor	Deputy City Recorder
H. Doyle Bender	City Treasurer
Paul Mitchell	Police Officer
Roger Young	Chief of Police
Bryce Ashby	Fire Chief

Mayor Hansen called the meeting to order at 5:30 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Don Dafoe MOVED that the Council meet in closed session at 5:35 p.m. for the purpose of discussing salaries of City personnel. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member David Church	Yes

Council Member Don Dafoe
Council Member Rex Harris

Yes
Yes

Following the closed session, Council Member Gayle Bunker MOVED to reconvene to Budget Work Session at 6:15 p.m. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

BUDGET WORK SESSION

Mayor Hansen and Council Members reviewed and discussed proposed budget revenues and expenditures for FY 1989-1990. Proposed budgets from Roger Young, Police Department, and Richard Waddingham, City Attorney were then presented and reviewed.

Mayor Hansen declared that the City Council meet in special City Council meeting at 7:00 p.m.

MINUTES

The proposed minutes of a regular City Council meeting held April 24, 1989, were presented for consideration and approval. The Council reviewed the minutes briefly after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a special City Council meeting held May 1, 1989, were presented for consideration and approval. The Council reviewed the minutes briefly after which Council Member David Church MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED that the accounts payable be approved for payment as listed in the amount of \$2,062.60. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ROBERT PENDRAY AMENDMENT TO PLAT N, PENDRAY SUBDIVISION

In view of Robert Pendray's absence, Mayor Hansen and the Council reviewed Robert Pendray's proposal for the Council to consider an amendment to Plat N of the Pendray Subdivision.

The Council concurred that Mr. Pendray has not yet proceeded with the necessary improvements previously discussed. Those improvements include weed control, open basement enclosure, adequate drainage and fencing.

Council Member Don Dafoe MOVED that Mayor Hansen send Robert Pendray notification that Delta City is disallowing his request for eliminating two lots from Plat N of the Pendray Subdivision and instruct him to fulfill his improvement requirements for the street with curb, gutter, drainage, paving, and to enclose the open basement in the Subdivision by July 31, 1989. The motion was SECONDED by Council Member Rex Harris. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION ESTABLISHING PAYMENT SCHEDULE FOR DITCH TAX AND IRRIGATION WATER RENTAL

Mayor Hansen asked Attorney Richard Waddingham to present a proposed resolution.

Attorney Waddingham presented the following resolution entitled:

RESOLUTION NO. 89-182

A RESOLUTION OF THE CITY OF DELTA, UTAH REVISING SERVICE CHARGES FOR DITCH TAX USER FEES AND IRRIGATION WATER RENTAL FEES.

Following brief discussion of the resolution, Council Member Rex Harris MOVED to adopt Resolution No. 89-182. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Rex Harris	Yes

Mayor Hansen then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

ATTORNEY RICHARD WADDINGHAM: SET DATE FOR A PUBLIC HEARING REGARDING AN ORDINANCE AMENDING TITLE 12-000 ENTITLED "PLANNING AND ZONING" OF THE REVISED ORDINANCES OF DELTA CITY (1981 edition), AS AMENDED, TO CLARIFY THE PROCESS AND SET STANDARDS FOR APPROVAL OF DEVELOPMENT PERMITS, TO GRANT DISCRETION TO THE ZONING OFFICER TO AUTHORIZE ISSUANCE OF DEVELOPMENT PERMITS FOR SMALL DEVELOPMENTS AND DEFINING SETBACK REQUIREMENTS IN DEVELOPMENT DISTRICTS

Mayor Hansen asked Attorney Richard Waddingham to address the Council.

Attorney Waddingham explained that in order to amend Title 12-000 of the Zoning Ordinance, a Public Hearing is required and should be scheduled.

Council Member David Church MOVED to schedule a Public Hearing for June 12, 1989, at 6:30 p.m. for the purpose of receiving public comment regarding an amendment to the Zoning Ordinance. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for vote. The motion passed unanimously.

MAYOR RUTH HANSEN: CONDITIONAL USE PERMIT FOR MILLARD COUNTY FAIRGROUNDS

Mayor Hansen reviewed a Conditional Use Permit for the Millard County Fairgrounds submitted to the Council for approval from the Planning Commission, after which Council Member Wesley Bloomfield proposed corrections.

Attorney Richard Waddingham reviewed Section 12-412 of the Revised Code of Ordinances (1981 edition), as amended, which states the following:

The Zoning Officer shall review all permits for conditional use applications and prepare written recommendations thereon to the Planning Commission. The Planning Commission shall then review the conditional use permit application and evaluate whether the conditional use should be granted. The Planning Commission shall apply the development policies set out in Chapter 12-600. in review of such permits. No conditional use permit shall be granted unless the proposed use meets the minimum standards established for the conditional use by the Planning and Zoning Commission. The Planning and Zoning Commission shall render a written decision granting or denying the conditional use permit after such review.

Attorney Waddingham recommended that the Zoning Ordinance be amended to require that the Planning Commission seek Council's

approval before granting Conditional Use Permits. He then explained that the Conditional Use Permit for the Millard County Fairgrounds should go back to the Planning Commission with the proposed corrections and should then be granted to Millard County by the Planning Commission.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION DECLARING THE ANNEXATION OF TERRITORY TO THE CITY OF DELTA, STATE OF UTAH

Mayor Hansen asked Attorney Waddingham to present a proposed resolution.

Attorney Waddingham inquired as to whether the petition signed by the majority of property owners, together with a plat of the proposed annexed territory signed by a certified engineer, had been filed in the Delta City Recorder's office.

Dorothy Jeffery, Delta City Recorder said that only the petition had been filed. Attorney Waddingham said that prior to adopting the resolution, the plat would also need to be filed with the City Recorder's office. A recess was then called for the purpose of filing the plat with the Delta City Recorder's office. After the plat had been filed, Attorney Waddingham presented the following resolution:

RESOLUTION NO. 89-183

A RESOLUTION DECLARING THE ANNEXATION OF TERRITORY TO THE CITY OF DELTA, STATE OF UTAH

Following brief discussion, Council Member Wesley Bloomfield MOVED to adopt Resolution No. 89-183. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Rex Harris	Yes

Mayor Hansen then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

Following brief discussion, Council Member David Church MOVED to schedule a Public Hearing for June 12, 1989, at 6:00 p.m. for the purpose of receiving public comment regarding the proposed West Delta Annexation. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

OTHER BUSINESS

Fire Chief Bryce Ashby addressed the Council regarding the temporary sale of fireworks within Delta City.

Following discussion, the Council instructed Attorney Waddingham to prepare an amendment to the Business License Ordinance to include a \$200 fee for a "Temporary Business Which Is Engaged In The Sale Of Fireworks".

Plans for the 4th of July Celebration were briefly discussed.

Attorney Waddingham said that in a Public Hearing held May 1, 1989, regarding the Millard County Fairgrounds, consumption of alcohol at the Fairgrounds was discussed. He explained that the City Ordinance allows a consumption license, which is strictly limited by its definition to liquor, not beer. He advised the Council to decide if they want to amend the present Ordinance to include beer in a consumption license.

Council Member Don Dafoe MOVED to recess from special City Council meeting and reconvene into Budget Work Session at 8:00 p.m. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Mayor Hansen and the City Council then reviewed budget proposals from Doyle Bender - Treasurer; Dorothy Jeffery - City Recorder, Elections, City Hall, Celebrations; Neil Forster - Parks, Solid Waste, Airport, Irrigation, Water and Sewer.

Following discussion of budget proposals, Council Member Don Dafoe MOVED to meet in closed session at 10:05 p.m. for the purpose of discussing salaries of Delta City personnel. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:


Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Rex Harris	Yes

Following discussion, Council Member David Church MOVED to reconvene into special City Council meeting at 11:05. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the

motion. There being none, she called for a vote. The motion passed unanimously.

Mayor Hansen asked if there were any further comments, questions or items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously. Mayor Hansen declared the meeting adjourned at 11:15 p.m.


RUTH HANSEN, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: SCCM 5-22-89